

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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SKY MEDICAL SUPPLY INC.,

Plaintiff,

ORDER

-against-

CV 12-6383 (JFB) (AKT)

SCS SUPPORT SERVICES, INC., et al.,

Defendants.

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A. KATHLEEN TOMLINSON, Magistrate Judge:

The Court has reviewed the various requests made by both Defendants and Plaintiff in the filings located at DE 536 (GW Defendants' letter), DE 537 (Plaintiff's letter motion) and DE 538 (GW Defendants' response) and each of these requests are DENIED, without prejudice to renewal following Judge Bianco's decision regarding Plaintiff's appeal of this Court's March 24, 2017 Order. *See* DE 532. However, to the extent Plaintiff intends to take depositions (including both party and non-party) in excess of the maximum of 10 as permitted by the Federal Rules, *see* Fed. R. Civ. P. 30(a)(2), any such depositions above this maximum amount are precluded at this juncture in light of Defendants' opposition to the same. This issue may be addressed through further motion practice following Judge Bianco's decision concerning Plaintiff's pending appeal. However, prior to filing such a motion (to the extent Plaintiff chooses to do so), Plaintiff must first seek Court authorization.

In addition, the Court takes this opportunity to point out the parties' persistent pattern of utilizing pre-motion conference letters to effectively present their entire respective arguments concerning the underlying motion at issue. Moving forward, submissions of this nature will be rejected and the Court will take further action as appropriate. As such, when seeking

authorization to file a motion, the parties, moving forward, are to comply with the directives contained in this Court's January 26, 2016 Order. *See* DE 435 ("Moving forward, the parties are no longer permitted to file motions without obtaining prior approval from the Court. In that regard, prior to filing a motion seeking relief, the parties are directed to first contact chambers [via a brief letter filed via ECF] to set up a telephone conference. Any motion filed without first obtaining prior approval from the Court will not be considered in the first instance.").

SO ORDERED.

Dated: Central Islip, New York
June 16, 2017

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
United States Magistrate Judge